

**UNITED STATES DISTRICT COURT**

**FOR THE**

**WESTERN DISTRICT OF LOUISIANA**

**JOHN THIBODEAUX ET AL**

**CIVIL ACTION 6:18-cv 00501**

**VERSUS**

**UNASSIGNED JUDGE**

**J. M. DRILLING LLC, ET AL**

**MAGISTRATE WHITEHURST**

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**UNOPPOSED MOTION TO CONSOLIDATE**

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NOW INTO COURT, through undersigned counsel, comes defendant, J. M. Drilling, LLC, who hereby moves this Court to consolidate action number 6:18-cv-01414-RRS-CBW (Rockhill Insurance Company v. J.M. Drilling, LLC) with the instant action captioned above.

All parties in both actions have been contacted and there is no opposition to this Motion.

Federal rule of Civil Procedure 42 provides that if actions before the court involve a common question of law or fact, the court may consolidate the actions.

The Rockhill Insurance Company v. J.M. Drilling LLC action involves an action in which Rockhill Insurance company is seeking a declaratory judgment that it does not provide excess coverage to J. M. Drilling for J. M. Drilling's exposure to the Thibodeaux plaintiffs in the underlying state court tort suit.

The instant matter involves an action in which Thibodeaux and J. M. Drilling, LLC assert that the Rockhill policy does indeed provide excess coverage to J. M. Drilling for the Judgment awarded against it and in favor of Thibodeaux.

All of the issues in contention in the Rockhill suit are also in contention in the Thibodeaux suit. There are common issues of both law and fact to be determined in each suit.

Thus, in order to prevent duplication of efforts and the risk of conflicting judgments, it is in the interests of all parties and in the interest of judicial economy that these two actions be consolidated.

Respectfully submitted:

**RABALAIS & HEBERT**

*s/ Melvin A. Eiden*

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(337) 981-0309  
ATTORNEY FOR DEFENDANT,  
J. M. DRILLING, LLC.**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the above and foregoing has this day been forwarded as follows:

---	U.S. Mail (First Class)
---	Hand Delivery
---	Facsimile
---	Overnight Delivery
X	E-Mail – All Known Counsel

Lafayette, Louisiana on this 21<sup>ST</sup> day of November, 2018.

*s/ Melvin A. Eiden*

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**MELVIN A. EIDEN**